

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Gregory V. Serio, Superintendent of Insurance
of the State of New York, as Rehabilitator of
FRONTIER INSURANCE COMPANY, and as
Assignee of **PLATINUM INDEMNITY, LTD.**,

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: JUN 27 2008

Plaintiff,

-against-

**DWIGHT HALVORSON INSURANCE
SERVICES, INC d/b/a F.S.I.M. INSURANCE
SERVICE and FOOD SERVICES INSURANCE
MANAGERS, INC.,**

ORDER

Civil Case No.:
04-CV-3361
(KMK/ECF)

Defendants.

The Court having held a telephone conference on June 27, 2008, regarding the amount to be deposited with respect to the Court's Opinion and Order dated October 4, 2007, granting partial summary judgment to the Plaintiff on Count IV of the Complaint and regarding the form of the escrow account for the deposit of the funds pursuant to the Court's Order of May 20, 2008, and after hearing Featherstonhaugh, Wiley & Clyne, LLP (Randall J. Ezick of counsel) on behalf of the Plaintiff and Schindel, Farman, Lipsius, Gardner & Rabinowich, LLP (Lorienton N.A. Palmer of counsel) on behalf of the Defendants, it is

ORDERED, that the Defendants be and are hereby directed to deposit the principal sum of \$322,515.00 together with pre-judgment interest in the sum of \$111,074.17, making in total the sum of \$433,589.17, in escrow pending the final determination of this action, or until further Order of the Court, on or before July 18, 2008, and it is,

FURTHER ORDERED, that the foregoing funds are to be deposited in the escrow account of the firm of Featherstonhaugh, Wiley & Clyne, LLP to be held there until such time as the Court directs by further Order that such funds may be released.

DATED: June 30, 2008.
White Plains, New York


KENNETH M. KARAS
UNITED STATES DISTRICT JUDGE